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5 Attorneys for Plaintiff,  
 6 DG Berry, Inc.

7  
 8 **IN THE UNITED STATES DISTRICT COURT**  
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

10	DG BERRY, INC., a California )	CASE NO. 3:13-cv-01236
11	Corporation, )	
12	Plaintiff, )	<b>STIPULATED REQUEST FOR DISMISSAL,</b>
13	v. )	<b>WITH PREJUDICE</b>
14	DRISCOLL STRAWBERRY )	
15	ASSOCIATES, INC., a California )	FED. R. CIV. P. 41(a)(2)
16	Corporation, )	
	Defendant. )	

17 IT IS HEREBY STIPULATED AND AGREED, pursuant to Federal Rules of Civil Procedure,  
 18 Rule 41(a)(2), by and between each and every party to this stipulation, by and through the signatures of  
 19 their respective counsel on this stipulation, that the parties to this stipulation wish to formally  
 20 acknowledge and obtain a court order dismissing the entire instant action, as follows:

21 1. IT IS HEREBY STIPULATED, by and among Plaintiff DG BERRY, INC. ("Plaintiff")  
 22 and Defendant DRISCOLL STRAWBERRY ASSOCIATES, INC. ("Defendant") that they are  
 23 requesting that a Court order be entered dismissing, *with prejudice*, the entire instant action, pursuant to  
 24 a settlement reached by Plaintiff and Defendant as a result of a successful mediation session.

25 2. The undersigned represent and warrant that they have all requisite authority to bind the  
 26 respective parties to the terms of the stipulation.

4. Each party shall bear that party's own costs and attorneys' fees in connection with this stipulation.

SO STIPULATED.

ANASTASSIOU &amp; ASSOCIATES

Dated: September 27, 2013

By: Ernie F. Anastassiou, Esq.  
Attorneys for Plaintiff  
DG Berry, Inc.

L + G, LLP

Dated: September \_\_, 2013

By: James W. Sullivan, Esq.  
Attorneys for Defendant  
Driscoll Strawberry Associates, Inc.

## ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that the entire instant action is hereby dismissed, *with prejudice*.

SO ORDERED.

Dated: \_\_\_\_\_

U.S. DISTRICT COURT JUDGE

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